

regarding the curative or therapeutic effects of the article with respect to intestinal worms in dogs.

On March 6, 1936, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 packages of an article labeled Pulvex Worm Capsules For Puppies and Dogs at San Antonio, Tex., alleging that the article had been shipped in interstate commerce on or about April 23, 1935, by William Cooper & Nephews, Inc., from Chicago, Ill., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of castor oil, chenopodium oil, and a small quantity of arecoline.

The article was alleged to be misbranded in that statements borne on the package labels and contained in an accompanying booklet falsely and fraudulently represented that the article was capable of causing the expulsion and destruction of roundworms (ascarids) and hookworms from dogs, including young dogs and puppies.

On June 2, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON,  
*Acting Secretary of Agriculture.*

**26515. Adulteration and misbranding of rubbing alcohol compound. U. S. v. 469 Bottles of Rubbing Alcohol Compound. Default decree of condemnation and destruction. (F. & D. no. 37325. Sample no. 67353-B.)**

This case involved an interstate shipment of an article, labeled "Rubbing Alcohol Compound", that contained no ordinary (ethyl) alcohol but consisted of a mixture of isopropyl alcohol, acetone, and water, and the quantity or proportion of isopropyl alcohol contained therein was not stated on the label.

On March 6, 1936, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 469 bottles of an article, labeled "Rubbing Alcohol Compound", at Wilmington, Del., alleging that the article had been shipped in interstate commerce on or about January 14, 1936, by the Bradley Laboratory from Philadelphia, Pa., and that it was adulterated and misbranded in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, namely, "Rubbing Alcohol Compound", since it did not contain ordinary (ethyl) alcohol, but consisted of a mixture of isopropyl alcohol, acetone, and water.

The article was alleged to be misbranded in that the statement on the label, "Rubbing Alcohol Compound", was false and misleading, since the article did not consist of ordinary (ethyl) alcohol, but of a mixture of isopropyl alcohol, acetone, and water. The article was alleged to be misbranded further in that the package failed to bear upon its label a statement of the quantity or proportion of isopropyl alcohol contained therein, since the expression, "Isopropyl Alcohol 70 Proof", on the label was meaningless.

On June 12, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the article be destroyed.

M. L. WILSON,  
*Acting Secretary of Agriculture.*

**26516. Misbranding of Milam Herb Compound. U. S. v. 51 Bottles of Milam Herb Compound. Default decree of condemnation and destruction. (F. & D. no. 37388. Sample no. 62901-B.)**

This case involved an interstate shipment of Milam Herb Compound that was misbranded because of false and fraudulent therapeutic and curative claims in the labeling.

On March 23, 1936, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 51 bottles of Milam Herb Compound at Richmond, Va., alleging that the article had been shipped in interstate commerce on or about September 29, 1934, by Milam, Inc., from Charlotte, N. C., and charging misbranding in violation of the Food and Drugs Act as amended.

An analysis of a sample showed that the article consisted essentially of extracts of plant drugs, including a laxative plant drug, and small proportions of nitric and salicylic acids.

The article was alleged to be misbranded in that the following statements regarding its curative and therapeutic effects were false and fraudulent: (Carton) "Aids \* \* \* Digestion"; (bottle label) "Aids \* \* \* Digestion. This Compound has been successfully used \* \* \* for all ailments arising from Impure, Impoverished or Acid blood. Is valuable in all Run-Down and Depleted conditions."

On August 27, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON,  
*Acting Secretary of Agriculture.*

**26517. Misbranding of H. G. C. U. S. v. 18 Dozen Bottles and 10 Bottles of H. G. C. Default decrees of condemnation and destruction. (F. & D. nos. 87492, 87535. Sample nos. 48302-B, 68887-B.)**

These cases involved interstate shipments of an article, described as H. G. C., the package and label of which falsely and fraudulently represented its curative or therapeutic effect with respect to gonorrhea and gleet.

The United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court on March 31, 1936, a libel praying seizure and condemnation of 18 dozen bottles of H. G. C., at San Antonio, Tex.; and the United States attorney for the Northern District of Illinois filed in the district court on April 7, 1936, a libel praying seizure and condemnation of 10 bottles of an article so labeled at Chicago, Ill. It was alleged that the article had been shipped in interstate commerce by the Acme Chemical Co., from New Orleans, La., on or about October 7, 1933, December 2 and 28, 1935, January 19, February 26, and March 11, 1936, and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article, composed of a substance contained in an envelope and a liquid contained in a bottle, showed that the substance in the envelope was magnesium sulphate, and the liquid in the bottle consisted essentially of a small quantity each of borax and berberine sulphate dissolved in water.

It was alleged in both libels that the letters, "H. G. C." on the label, meant to purchasers that the article was a remedy for gonorrhea and gleet, said letters having attained such meaning through long existing general knowledge incident to and as a result of the following facts: (1) That an application that said letters "H. G. C." be designated as a trade mark for a remedy for gonorrhea and gleet, then filed in the United States Patent Office, contained the following statements: "Trade Mark A Remedy for Gonorrhea and Gleet No. 17,590 Registered Feb. 25, 1890 H \* \* \* G \* \* \* O Trade Mark"; (2) and that after such registration of the letters "H. G. C." as a trade mark for the article on February 25, 1890, it was labeled and sold as "H. G. C. \* \* \* A Reliable Remedy for Gonorrhea and Gleet" until on or about December 28, 1912, thereafter such article was labeled and sold as "H. G. C. \* \* \* A safe Non-poisonous Injection for Gonorrhea and Gleet" until on or about April 1, 1919, thereafter such article was labeled and sold as "H. G. C. \* \* \* A Non-poisonous Injection for Gonorrhea and Gleet"; and thereafter the labeling of the article was finally changed so that no statement in explanation of the purpose of such article, except the device "H. G. C.", remained upon the labels thereof, and the article in the shipments aforesaid was so labeled, that is, with no statement in explanation of the device "H. G. C." that appeared on the label, except said device itself, which meant that the article was, as formerly labeled and sold for many years, "a remedy for gonorrhea and gleet."

The article in both cases was alleged to be misbranded in that the device "H. G. C.", borne on the label, meaning a remedy for gonorrhea and gleet, falsely and fraudulently represented that the article was capable of producing the curative or therapeutic effect claimed by means of the said device. The article in the second case was alleged to be misbranded further in that the following statements, contained within the package, falsely and fraudulently represented that the article was capable of producing the curative or therapeutic effect claimed: (Memorandum book, inside cover) "H. G. C. Has Stood The Test for Over Fifty Years"; and (memorandum book, outside cover) "H. G. C. Relieves 1 to 3 Days For Mucous Discharges and Catarrhal Conditions"; (match box) "H. G. C. Usually Relieves 1 to 3 Days. H. G. C. is a tried and well known treatment of more than 50 years standing for catarrhal conditions and all mucous discharges. It has a tonic influence upon the sur-